



MANAGING PARTNERS
Phillip C. Hamilton, Esq.
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February 27, 2023

The Honorable Ronnie Abrams
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: The Estate of Roy C. Hammond v. Fuchs et al., 1:21-cv-01121 (RA) – Status Update, Adjournment Request

Dear Judge Abrams,

As Your Honor is aware, a post-discovery conference in this matter is currently scheduled for this coming Friday, March 3, 2023, at 11:30am. Accordingly, I write jointly on behalf of the parties to update the Court as to the status of the case, and also, to request a one-week adjournment, if possible, regarding this coming Friday's conference.

After the Court issued its decision granting in part, and denying in part, the Defendants' Motion to Dismiss, the parties began the process of engaging in settlement discussions. Unfortunately, those discussions did not lead to a resolution at this juncture; however, they did lay the groundwork for potentially continuing those discussions throughout the course of discovery, and still possibly resolving the matter before trial.

This past Friday, February 24, 2023, the Defendants filed their Answer, asserting counterclaims, and impleading several third-party defendants. As such, I am currently discussing said Answer with my client, and continuing conferrals with Defendants' counsel regarding the discovery schedule that we agreed upon back in September of 2022, and also our ability to complete discovery by June 30, 2023, as well as the logistics surrounding the addition of the third-party defendants. We will discuss more specifics with the Court at the conference, but just wanted to apprise the court of where things stand for now.

Finally, with respect to this coming Friday's conference, the Parties mutually request to adjourn said conference to Friday, March 10, as Defendants' counsel will be traveling on March 3, and the additional week will provide both sides' counsel additional time to confer with their clients and with each other with respect to the scheduling issues identified above, before we speak to the Court.

We thank Your Honor for your consideration.

Regards,

Phillip C. Hamilton

Phillip C. Hamilton, Esq.

Application granted. The post-fact discovery conference is hereby adjourned to March 13, 2023 at 11:30 a.m.; Dial-in Number: (888) 363-4749; Access Code: 1015508#. No later than one week prior to the conference, the parties shall file a joint status letter.

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written over a horizontal line.

Hon. Ronnie Abrams
United States District Judge
02/28/2023